

**ROBERT J. HEILMAN - December 18, 2009**  
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10 VIDEOTAPED DEPOSITION OF ROBERT J. HEILMAN  
11 \*\*CONFIDENTIAL\*\*  
12 \*ATTORNEYS' EYES ONLY\*

14 Friday, December 18, 2009  
15 10:28 o'clock a.m.  
16 Reminger Company, LPA  
65 East State Street, Third Floor  
Columbus, Ohio

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1       established credentials. That's really all I know  
2       about that.

3       Q.           The first topic in the initial disclosures  
4       was the business relationship between O'Neil and  
5       MCFA. And let's just start very generally. How are  
6       you aware of the business relationship between the  
7       two companies? Are you personally involved?

8       A.           I have been personally involved with that.

9       Q.           Well, starting at sort of a high level,  
10      what have you been involved in?

11      A.           Primarily, the E-learning environment that  
12      we've created for them, and the -- the course work  
13      that goes into the E-learning environment, which --  
14      which we have been doing for a number of years.

15      Q.           Okay. And anything else?

16      A.           Repeat the question. I want to make sure  
17      I answer it correctly. How am I aware of --

18      Q.           Well, what's your involvement -- well, I  
19      don't know what my question was exactly at this  
20      point.

21                   MR. PARKER: I think you were asking for a  
22      high level overview of the relationship --

23                   MR. GAUM: Yeah.

24                   MR. PARKER: -- that he was aware of

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1       between MCFA and O'Neil.

2       A.            Basically, you know, I have helped, you  
3       know, our commercial industrial business unit create  
4       the business case to development an E-learning  
5       environment and successfully implement that for MCF.

6       Q.            Well, what about any other projects for  
7       MCF?

8       A.            Certainly, the success of the E-learning  
9       environment is what led them to ask us certain  
10      questions about how we could help them engineer and  
11      improve their process for creation and delivery of  
12      technical manuals.

13      Q.            And that's what Snap-On has been doing for  
14      them --

15      A.            Snap-On has been --

16      Q.            -- until now?

17      A.            -- doing, in my opinion, a very small  
18      piece of that.

19      Q.            Why do you say that?

20      A.            Well, what I can -- what I can speak to,  
21      what I know for sure that MCF was interested in, was  
22      reengineering the entire process by which their  
23      manuals are created, both parts and maintenance,  
24      having a means by which to manage their translation

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1 expenses, improve the time to market of their  
2 information and improve the accuracy of their  
3 information.

4 I don't know specifically all the things  
5 that Snap-On does for them, but I believe it's only a  
6 parts website.

7 Q. Do you know anybody at Snap-On?

8 A. I don't believe I do.

9 Q. Is Snap-On a competitor of O'Neil?

10 A. They are certainly not someone that we  
11 bump into frequently. We're aware of them.

12 Q. Okay. Does O'Neil do much in the way of  
13 electronic parts catalogs?

14 A. Yes, we do.

15 Q. How did you get involved in the current  
16 project for MCF, which is the -- what you just went  
17 through, helping them with their -- is it the parts  
18 catalogs and handling all that?

19 A. Well, that's not the scope of the current  
20 activity with them. Like I say, it's a broader --

21 Q. Okay.

22 A. -- engineering kind of project that --  
23 they get input from a number of sources. You know,  
24 we're just trying to help them have a streamlined and

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1 efficient process for delivering their product  
2 support information.

3 Q. Is there a name for this project we're  
4 talking about right now or a shorthand way to refer  
5 to it?

6 A. You know, not that I'm aware of. I  
7 believe we just call it MCF and...

8 Q. And you just call it MCF, and -- but you  
9 know that that's different than the E-learning?

10 A. Uh-huh.

11 Q. Okay. So if we talk -- if I can just  
12 refer to it as the MCF project, is that your  
13 understanding that's why we're here today, over that  
14 project?

15 A. Yes.

16 Q. Okay. How did you get involved in the MCF  
17 project?

18 A. To the best of my recollection, we were  
19 introduced to the people involved in other types of  
20 product support information by our E-learning contact  
21 at MCF.

22 Q. Who was that?

23 A. I want to say Arnold Witt.

24 Q. And who were you introduced to at MCF?

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1 reclamation tool to retrieve your customer's data?

2 MR. PARKER: Object to the form.

3 BY MR. GAUM:

4 Q. You can still answer the question unless  
5 he instructs you not to.

6 A. I didn't have specific visibility into the  
7 business relationship between MCF and Snap-On. My  
8 understanding was Snap-On was being unreasonable and  
9 uncooperative in supplying MCF with their data.

10 Q. How so?

11 A. Again, I don't have specific information  
12 on that.

13 Q. All I want to do is get all the  
14 information you do have on that.

15 A. I had the perception, and I think I was --  
16 I developed that perception based on my interactions  
17 with MCF, that MCF's data was being held hostage by  
18 Snap-On.

19 Q. Why do you say that was your perception?  
20 What gave you that perception?

21 A. Well, I guess the easiest way to say it is  
22 they weren't able to produce the data to proceed with  
23 their vision for what they wanted us to do.

24 Q. Okay. You said you weren't a techie.